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Dkt. 51320-AB/JPW/AJD/BWSL *JPW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. P. Allaway et al.

Serial No.: 09/852,238

Examiner: Bao Qun Li

Filed: May 9, 2001

Group Art Unit: 1648

For: USES OF A CHEMOKINE RECEPTOR FOR INHIBITING  
HIV-1 INFECTION

1185 Avenue of the Americas  
New York, New York 10036  
June 16, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(b)(3) to supplement the Information Disclosure Statement filed on January 9, 2002 in connection with the above identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit A**), and certain of which are attached hereto as **Exhibits 1-35** :

1. U.S. Patent No. 6,107,019, issued August 22, 2000 to G.P. Allaway et al. (**Exhibit 1**);
2. U.S. Patent No. 6,344,545 B1, issued February 5, 2002 to G.P. Allaway et al. (**Exhibit 2**);
3. U.S. Patent No. 6,548,636 B2, issued April 15, 2003 to T.

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Dragic and W.C. Olson (**Exhibit 3**);

4. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/888,938, filed June 25, 2001 (**Exhibit 4**);
5. Allowed claims in T. Dragic and W.C. Olson, U.S. Serial No. 10/323,314, filed December 19, 2002 (**Exhibit 5**);
6. G.P. Allaway et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned) (**Exhibit 6**);
7. G.P. Allaway et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;
8. G.P. Allaway et al., U.S. Serial No. 08/663,616, filed June 14, 1996 (now abandoned) (**Exhibit 7**);
9. G.P. Allaway et al., U.S. Provisional Application No. 60/019,715, filed June 14, 1996;
10. G.P. Allaway et al., U.S. Serial No. 08/673,682, filed June 25, 1996 (now abandoned) (**Exhibit 8**);
11. G.P. Allaway et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned) (**Exhibit 9**);
12. G.P. Allaway et al., U.S. Provisional Application No. 60/019,941, filed June 14, 1996;
13. G.P. Allaway et al., U.S. Serial No. 08/874,570, filed June 13, 1997 (now abandoned) (**Exhibit 10**);

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14. G.P. Allaway et al., U.S. Serial No. 08/874,618, filed June 13, 1997 (now abandoned) (**Exhibit 11**);
15. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/724,105, filed November 28, 2000 (**Exhibit 12**);
16. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/212,793, filed December 16, 1998 (now abandoned);
17. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/112,532, filed December 16, 1998;
18. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/464,902, filed December 16, 1999 (**Exhibit 13**);
19. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/594,983, filed June 15, 2000 (**Exhibit 14**);
20. W.C. Olson et al., U.S. Serial No. 09/663,219, filed September 15, 2000 (**Exhibit 15**);
21. W.C. Olson et al., U.S. Provisional Application No. 60/266,738, filed February 6, 2001 (**Exhibit 16**);
22. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0146415 A1, published October 10, 2002 (**Exhibit 17**);
23. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/282,380, filed April 6, 2001 (**Exhibit 18**);

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24. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0106374 A1, published August 8, 2002 (**Exhibit 19**);
25. W.C. Olson and P.J. Maddon, U.S. Serial No. 10/081,128, filed February 22, 2002 (now abandoned) (**Exhibit 20**);
26. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/358,886, filed February 22, 2002;
27. William C. Olson and Paul J. Maddon, U.S. Publication No. 2003/0044411 A1, published March 6, 2003 (**Exhibit 21**);
28. T. Dragic and W.C. Olson, U.S. Patent Application Publication No. 2003/0092632 A1, published May 15, 2003 (**Exhibit 22**);
29. W.C. Olson et al., U.S. Patent Application Publication No. 2003/0228306 A1, published December 11, 2003 (**Exhibit 23**);
30. Pending claims in W.C. Olson and P.J. Maddon, U.S. Serial No. 10/763,545, filed January 23, 2004 (**Exhibit 24**);
31. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/460,216, filed December 13, 1999 (**Exhibit 25**);
32. PCT International Application Publication No. WO 96/41020, published December 19, 1996 (**Exhibit 26**);

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33. PCT International Application Publication No. WO 97/26009, published July 24, 1997 (**Exhibit 27**);
34. PCT International Application Publication No. WO 97/37005, published October 27, 1997 (**Exhibit 28**);
35. PCT International Application Publication No. WO 98/56421, published December 17, 1998 (**Exhibit 29**);
36. PCT International Application Publication No. WO 00/35409, published June 22, 2000 (**Exhibit 30**);
37. PCT International Application Publication No. WO 01/64710, published September 7, 2001 (**Exhibit 31**);
38. PCT International Application Publication No. WO 02/22077, published March 21, 2002 (**Exhibit 32**);
39. PCT International Application Publication No. WO 02/068608, published September 6, 2002 (**Exhibit 33**);
40. PCT International Application Publication No. WO 02/083172, published October 24, 2002 (**Exhibit 34**); and
41. PCT International Application Publication No. WO 03/072766, published September 4, 2003 (**Exhibit 35**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449.

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37 C.F.R. §1.98(a)(2)(iii) provides that an Information Disclosure Statement shall include, for each cited pending U.S. application, a legible copy of the application specification including the claims and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. Under 37 C.F.R. §1.98(c), when the disclosures of two or more patents or publications listed in an Information Disclosure Statement are substantively cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications, provided it is stated that these other patents or publications are cumulative. In accordance with 37 C.F.R. §1.98(c), copies of certain references listed above are not being submitted herewith as they are cumulative.

Specifically, U.S. Serial No. 09/888,938, filed on June 25, 2001, is a continuation of U.S. Serial No. 08/831,823, filed April 2, 1997 which issued as U.S. Patent No. 6,344,545 B1 (reference 2). Therefore, a copy of U.S. Serial No. 09/888,938 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/888,938 is attached hereto as Exhibit 4.

U.S. Serial No. 10/323,314, filed December 19, 2002, is a continuation of U.S. Serial No. 09/796,202, filed February 28, 2001 which issued as U.S. Patent No. 6,548,636 B2 (reference 3). Therefore, a copy of U.S. Serial No. 10/323,314 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims allowed in U.S. Serial No. 10/323,314 is attached hereto as Exhibit 5.

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U.S. Serial No. 09/724,105, filed November 28, 2000, is a continuation of U.S. Serial No. 08/874,618, filed June 13, 1997 (reference 14). Therefore, a copy of U.S. Serial No. 09/724,105 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/724,105 is attached hereto as Exhibit 12.

U.S. Serial No. 10/763,545, filed January 23, 2004, is a continuation of U.S. Serial No. 09/594,983, filed June 15, 2000 (reference 19). Therefore, a copy of U.S. Serial No. 10/763,545 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 10/763,545 is attached hereto as Exhibit 24.

U.S. Serial No. 09/460,216, filed December 13, 1999, is a national stage application of PCT International Application Publication No. WO 98/56421, published December 17, 1998, (reference 35). Therefore, a copy of U.S. Serial No. 09/460,216 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/460,216 is attached hereto as Exhibit 25.

References 6 and 7 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 7 is not enclosed.

References 8 and 9 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of

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reference 9 is not enclosed.

References 11 and 12 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 12 is not enclosed.

References 16, 17, and 18 are cumulative to each other since each contains an identical disclosure except that reference 18 contains an additional paragraph at the beginning of the application claiming the benefit of an earlier application, U.S. Provisional Application No. 60/112,532 (reference 17), and also provides the ATCC Accession Number for the PA10 antibody, which Accession Number is not provided in references 16 and 17. Therefore, copies of references 16 and 17 are not enclosed.

References 25 and 26 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 26 is not enclosed.

If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

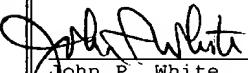
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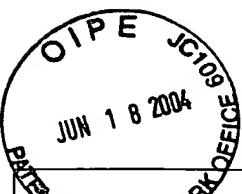
Pursuant to 37 C.F.R. §1.97(b)(3), no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

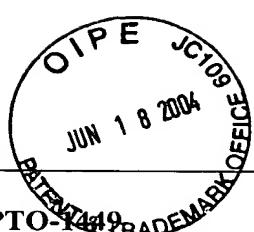


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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:	
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John P. White	Date
Reg. No. 28,678	



For Examiner 1449		U.S. Department of Commerce Patent and Trademark Office								Atty. Docket No. 51320-AB/JPW/AJD/BWSL	Serial No. 09/852,238		
										Applicant(s) G. P. Allaway et al.	Filing Date May 9, 2001	Art Unit 1648	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)													
U.S. PATENT DOCUMENTS													
Examiner Initials	Exh. No.	Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate
	1	6	1	0	7	0	1	9	08/22/00	Allaway et al.			
	2	6	3	4	4	5	4	5	02/05/02	Allaway et al.			
	3	6	5	4	8	6	3	6	04/15/03	Dragic et al.			
	4	Pending Claims in 0 9 / 8 8 8, 9 3 8								Allaway et al.			06/25/01
	5	Allowed Claims in 1 0 / 3 2 3, 3 1 4								Dragic et al.			12/19/02
	6	08	6	2	7	6	8	4		Allaway et al.			04/02/96
		60	0	1	4	5	3	2		Allaway et al.			04/02/96
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	9	08	6	6	5	0	9	0		Allaway et al.			06/14/96
FOREIGN PATENT DOCUMENTS													
		Document Number							Date	Country	Class	Subclass	Translation
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	32	0	2	2	2	0	7	7	03/21/02	PCT			
	33	02	0	6	8	6	0	8	09/06/02	PCT			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)													
EXAMINER								DATE CONSIDERED					
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>													



Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office		U.S. Department of Commerce Patent and Trademark Office								Atty. Docket No. 51320-AB/JPW/AJD/BWSL	Serial No. 09/852,238			
		INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)								Applicant(s) G. P. Allaway et al.				
										Filing Date May 9, 2001	Art Unit 1648			
<b>U.S. PATENT DOCUMENTS</b>														
Examiner Initials	Exh. No.	Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate	
		60	0	1	9	9	4	1		Allaway et al.			06/14/96	
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	25	Pending Claims in 0 9 / 4 6 0, 2 1 6								Allaway et al.				12/13/99
<b>FOREIGN PATENT DOCUMENTS</b>														
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													Yes	No
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EXAMINER								DATE CONSIDERED						
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>														